UNITED STATES PATENT AND TRADEMARK OFFICE

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NAJARIAN, LENA

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>09 July 2007</u>.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-12,14-24 and 26-36</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-12,14-24 and 26-36</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Notice to Applicant

1.   This communication is in response to the Request for Continued

Examination (RCE) filed 7/9/07. Claims 1, 15, 26, and 27 have been amended.

Claims 1-12, 14-24, and 26-36 remain pending.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for

all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described
> as set forth in section 102 of this title, if the differences between the subject matter sought to
> be patented and the prior art are such that the subject matter as a whole would have been
> obvious at the time the invention was made to a person having ordinary skill in the art to which
> said subject matter pertains. Patentability shall not be negatived by the manner in which the
> invention was made.

3.   Claims 1-12, 14-24, and 26-36 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Applicant's Background of the Invention (pages 1-2 of

Applicant's originally filed specification) in view of Kennedy (5,787,453), and

further in view of Chlan et al. (US 6,385,642 B1).

(A) As per claim 1, Applicant's Background of the Invention discloses a system

comprising:

(a) a web server application or application running in conjunction with a

web server, wherein the necessary mathematical expressions and data are

typically encoded into the programming for the insurance product application

(page 2, lines 5-10);

(b) an insurance application that gathers information from a consumer

and returns rate quote information to the consumer (page 2, lines 5-10);

(c) a web server or application having mathematical expressions and data

encoded into the programming for the insurance product application for

calculating insurance product rates (page 2, lines 5-10);

(d) a web server for returning rate quote information to the consumer

(page. 2 lines 5-12); and

(e) a website for a consumer to be provided with insurance rate

information from the web server (page 1, lines 16-26 and page 2, lines 5-12).

Applicant's Background of the Invention fails to expressly disclose "a

database interface" or a routine operable to parse a product rate expression

stored in the product rate information cache into at least one token, and operable

to evaluate the at least one token to determine a product rate.

Kennedy includes a system that parses formulas into operands and

operators that are further evaluated to obtain a result (Kennedy; col. 3, lines 15-

24 and col. 8, line 44 to col. 10, line 39). Further, Kennedy includes in Figure 7,

a processors #1-2 connected to a SQL database for communicating information

between the processors and the database (col. 12 lines 31-47) (reads on "a

database interface").

It would have been obvious to one of ordinary skill in the art at the time of

the invention to add the formula parser of Kennedy to the system described in

Applicant's Background of the Invention with the motivation of providing users

with very little grasp of computer programming methodologies a way to develop

systems to calculate virtually anything of a mathematical nature once they can

identify the source of data to be used, a target location for the result, and the

fundamental mathematical operations needed to derive the result (Kennedy; col.

3, lines 30-35) .

Applicant's Background of the Invention and Kennedy fail to expressly

disclose that the product information cache stores the product rate information

received from the database.

Chlan discloses a product information cache storing the product rate

information received from the database (col. 2, lines 54-58, col. 5, line 53 – col.

6, line 58, and Fig. 1 of Chlan).

At the time of the invention, it would have been obvious to a person of

ordinary skill in the art to include the aforementioned feature of Chlan within

Applicant's Background of the Invention and Kennedy. The motivation for doing

so would have been to have fewer interactions with the database in order to

prevent inefficient use that can lead to higher costs (col. 2, lines 38-41 & 54-58 of

Chlan).

(B) As per claim 2, Applicant's Background of the Invention discloses storing

rating factors in look-up tables (page 1, lines 24-25).

(C) As per claim 3, Kennedy discloses a SQL database having a number of

dimensions (col. 6 lines 50-60). The skilled artisan would have found it obvious

to modify the system of Applicant's Background of the Invention to include the

features of Kennedy with the motivation of enabling the user to efficiently access

and analyze data stored in the database. As per the recitation of "indexed by

consumer information", it is respectfully submitted that a typical SQL database

indexes any of the information stored in a database, and this would have been an

obvious modification for the purpose of reducing the time to retrieve data and

organizing the data within the database efficiently.

(D) As per claims 4-5, Kennedy discloses an operand representing a variable

and an operation identifier representing an operation which is in the set

consisting of mathematical and data transfer operations (reads on "logic or

number operator") (Kennedy; col. 3, lines 15-24, col. 6 lines 13-26, col. 8, line 44

to col. 10, line 39, col. 14 lines 1-67). The motivation for combining Kennedy

within Applicant's Background of the Invention is given above in claim 1, and

incorporated herein.

(E) As per claim 6, Kennedy teaches the use of Reverse Polish notation and

other notations (Kennedy; col. 8, lines 54-60, Figures 5a-b). It would have been

obvious to one of ordinary skill in the art at the time of the invention to modify the

expressions taught collectively by Applicant's Background of the Invention and

Kennedy with the motivation of using a conventional mathematical field ordering

notation that most readers would be familiar with (Kennedy; col. 8, lines 55-57).

(F)   As per claims 7, 10, 19, and 31, Applicant's Background of the Invention

discloses insurance product rate information (page 2, lines 5-12).

(G)   As per claims 8 and 18, Kennedy teaches the parsing of formulas into

tokens and the evaluation of the tokens to provide a result (Kennedy; col. 3, lines

15-24 and col. 8, line 44 to col. 10, line 39). It would have been obvious to one of

ordinary skill in the art at the time of the invention to add the feature of Kennedy

to the system of Applicant's Background of the Invention with the same

motivation as applied to claim 1, and incorporated herein.

(H)   As per claim 9, Applicant's Background of the Invention discloses a website

for gathering customer information, providing insurance product rate quotes, and

provide the product rate and other information to the consumer (page 1, lines 16-

25, page 2, lines 5-12).

(I)   As per claims 11-12, Applicant's Background of the Invention discloses a web

server or application running in conjunction with the web server, and a web site

for the consumer to provide information to the web server (page 1, lines 16-25,

page 2, lines 5-12).

(J) As per claim 14, Applicant's Background of the Invention discloses a web

server and application having the mathematical expressions and data encoded in

for providing insurance product information, wherein the web server provides

information to the customer on a product rate quote information (page 2, lines 5-

12). The remainder of claim 14 repeats the same limitations as claims 1 and 2,

and is therefore rejected for the same reasons given for claim 14, and

incorporated herein.

(K) Claim 15 differs from system claim 1 by reciting the step of "loading product

information including at least one product rate expression from a database." As

per this step, Applicant's Background of the Invention discloses encoding

mathematical expressions and data into the programming of the insurance

product application to provide insurance rate quotes (page 2, lines 5-12). The

remainder of claim 15 repeats the same limitations as claims 1, 9, and 14, and is

rejected for the same reasons given above in the rejections of those claims, and

incorporated herein.

(L) Claim 16 repeats the same limitations as claims 2 and 14, and is rejected for

the same reasons given above in the rejections of those claims, and incorporated

herein.

(M) As per claim 17, Applicant's Background of the Invention discloses a web

server and application having the mathematical expressions and data encoded in

for providing insurance product information, wherein the web server provides

information to the customer on a product rate quote information (page 2, lines 5-

12). It does not disclose this information being stored as a plurality of records in

a database. However, Kennedy clearly discloses the use of a SQL database

having tables for storing data (Fig. 7, col. 8 lines 16-36). It is respectfully

submitted that storing data in tables for retrieval of the that data is a form of a

record in a database.

(N) Claims 20-23 repeat the same limitations as claims 4-6, and are therefore

rejected for the same reasons given for those claims, and incorporated herein.

(O) As per claim 24, Kennedy teaches the parsing of formulas into tokens and

the evaluation of the tokens to provide a result, wherein the result is calculated

using an addition module or multiplication module and data is retrieved from

tables (Fig. 4-5b, col. 3, lines 15-24 and col. 8, line 44 to col. 10, line 39). It would

have been obvious to one of ordinary skill in the art at the time of the invention to

add the feature of Kennedy to the system of Applicant's Background of the

Invention with the same motivation as applied to claim 1, and incorporated

herein. The remainder of claim 24 repeats the same limitations as claims 2 and

5, and is rejected for the same reasons given for those claims, and incorporated

herein.

(P) Claim 26 repeats the same limitations as claim 1, and is therefore rejected

for the same reasons given for claim 1, and incorporated herein.

(Q) Claims 27-30 and 32-36 repeat the subject matter of system claims 15-18

and 20-24 as a computer readable medium comprising instructions executable

on a processor rather than as a set of apparatus elements. As the underlying

elements of claims 15-18 and 20-24 have been shown to fully disclosed by the

collective teachings of Applicant's Background of the Invention and Kennedy in

the above rejections of those claims, it is readily apparent that the system

disclosed collectively by Applicant's Background of the Invention and Kennedy

includes the computer readable medium to perform the functions of the system.

As such, these limitations are rejected for the same reasons given above for

claims 15-18 and 20-24, and incorporated herein.

Response to Arguments

4.   Applicant's arguments with respect to claims 1, 15, 26, and 27 have been

considered but are moot in view of the new ground(s) of rejection.

Conclusion

5.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lena Najarian whose telephone number is 571-272-7072. The examiner can normally be reached on Monday - Friday, 9:30 am - 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Thomas can be reached on 571-272-6776. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

In
9-11-07

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